

1 BARRY J. PORTMAN
Federal Public Defender
2 LARA S. VINNARD
Assistant Federal Public Defender
3 160 West Santa Clara Street, Suite 575
San Jose, CA 95113
4 Telephone: (408) 291-7753
5 Counsel for Defendant CALERO-LOPEZ

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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,) No. CR 08-70029 HRL
12)
Plaintiff,)
13) **STIPULATION TO EXTEND TIME FOR**
v.) **PRELIMINARY HEARING AND**
14) **EXCLUDE TIME; [PROPOSED] ORDER**
ALONSO CALERO-LOPEZ,)
15) **Hon. Howard R. Lloyd**
Defendant.)
16)

17 Defendant and the government, through their respective counsel, hereby stipulate that,
18 subject to the court's approval, the hearing in the above-captioned matter, presently scheduled for
19 Thursday, April 24, 2008, at 1:30 p.m. be continued to Thursday, May 22, 2008, at 1:30 p.m.
20 The continuance is requested to allow time for further pre-charge negotiation and defense
21 investigation.

22 The parties further agree that time should be excluded under the Speedy Trial Act from
23 April 24, 2008 to May 22, 2008, to allow time for defense investigation and preparation, and
24 because the ends of justice outweigh the defendant's and the public's need for a speedy trial.

25 Finally, in order to allow additional time for pre-charge negotiations, the parties also
26 agree that time should be extended for the defendant's preliminary hearing pursuant to Federal

1 Rule of Criminal Procedure 5.1(d), taking into account the public interest in the prompt
2 disposition of criminal cases.

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4 Dated: 4/23/08

/s/
LARA S. VINNARD
Assistant Federal Public Defender

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6 Dated: 4/23/08

/s/
TOM O'CONNELL
Assistant United States Attorney

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9 **ORDER**

10 The parties have jointly requested a continuance of the hearing set for April 24, 2008, to
11 allow time for continued pre-charge negotiation and continued defense investigation.

12 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date
13 presently set for April 24, 2008 at 1:30 p.m. be continued to May 22, 2008, at 1:30 p.m.

14 Pursuant to the parties' stipulation, IT IS FURTHER ORDERED that the period of time
15 from April 24, 2008, to May 22, 2008, shall be excluded from the period of time within which
16 trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 et seq.

17 Finally, due to the parties' efforts to engage in pre-charge negotiations, it is ORDERED
18 that time should be extended for the defendant's preliminary hearing pursuant to Federal Rule of
19 Criminal Procedure 5.1(d), taking into account the public interest in the prompt disposition of
20 criminal cases.

21 Dated: April ____, 2008

HOWARD R. LLOYD
United States Magistrate Judge